## MR. BLAINE'S SILHOUETTES.

ESTIMATES OF CHARACTER IN "TWENTY YEARS OF CONGRESS."

SUMNER IN WAR TIME. SUMNER IN WAR TIME.

Mr. Sumner, though five years the junior, was senior in Senatorial service to Mr. Fessenden, and had attained wider celebrity. Mr. Sumner's labor was given almost exclusively to questions involving our foreign relations, and to issues growing out of the slavery aguation. To the latter he devoted himself, not merely with unswerving fieldity but with all the power and arder of his nature. Upon general questions of business in the Senate he was not an authority, and rarely participated in the de-bates which settled them; but he dd more than any other man to promote the anti-slavery cause, and to uprear its standard in the Republican party. He

other man to promote the anti-slavery cause, and to uprear its standard in the Republican party. He had carned, in an unexample degree, the hatred of the South, and this fact had increased the zeal for him among anti-slavery men throughout the North. The assanit made upon him by Preston S. Brooks, a South-Carolina Representative, for his famous speech on Kausas, had strengthened his hold upon his constituency, which was not merely the State of Massachusetts but the radical and progressive Republicans of the entire country.

Mr. Sumuer was studious, learned, and ambitious. He prepared his discussions of public questions with earc, but was not ready as a debater. He presented his arguments with power, but they were laborious essays. He had no faculty for extempore speech. Like Addison, he could draw his draft for a thousand pounds, but might not have a similing of change. This did not hinder his progress or lessen his prestige in the Sonate. His written arguments were the anti-slavery classics of the day, and they were read more eagerly than speeches which produced greater effect on the header. Colonel Benton Said that the eminent William Punckney of Maryland was always thinking of the few hundred who came to hear him in the Senate Chamber, apparently forgetting the million who might read him outside. Mr. Sommer never made that mistake. His arguments went to the million. They prenuced a widespread and prodigious effect on public opinion and left an indelible impression on the history of the country.

THADDEUS STEVENS.

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The House was filled with able men, many of whom had parliamentary experience. The matural leader, who assumed his place by common consent, was Thaddeus Stevens, a man of strong peculiarities of character, able, trained, and fearless. Born in Vermont, and educated at Dartmonth, he had passed all his adult years in Pennsylvania, and was thoromably identified with the State which he had Served with distinction both in her own Legislature and in Congress. He had the reputation of boing Somewhat unsempaious as to political methods, somewhat careless in personal conduct, somewhat lax in personal morals, but to the one great object of his infe, the destruction of slavery and the elevalax in personal morals; but to the one great object of his life, the destruction of slavery and the elevation of the slave, as was supremely devoted. From the pursuit of that object nothing could deflect him. Upon no phase of it would be listen to compromise. Any mean who was truly anti-slavery was his friend. Whoever espoused the cause and proved faithless in never so small a degree, became his enemy, inevitably and irreconcushly. Toward his own race he seemed often to be misanthropic. He was learned in the law, and for a third of a century had held high rank at the bar of a State distinguished for great lawyers. He was disposed to be tacturn. A brilliant talker, he did not relist idle and aimless conversation. He was much given to reading, study, and reflection, and to the retirement which enabled him to gratify his tastes. As was said of Mr. Emerson, Mr. Stevens loved solitude and understood its uses.

was said of Mr. Emerson, Mr. Stevens were and understood its uses.

Upon all political questions Mr. Stevens was an authority. He spoke with ease and reachness using a style somewhat resembling the crisp, clear sententionsness of Dean Swift. Seldom, even in the tentiousness of Dean Switt. Sentom, even in the most careless moment, did a sentence escape his lips that would not bear the test of grammatical and rhetorical criticism. He possessed the keenest wit, and was unmeretful in its use toward those whom he did not like. He illustrated in concrete form the difference between wit and humor. He did not indulge in the latter. He did not enjoy a laugh. When his sharp sallies would set the entire House in uproar, he was as impassive, his visage as solemn, as if he were pronouncing a funeral oration. His memory of facts, dates, and figures was exact, and in argument he knew the book and chapter and page for reference. He was foun of young men, in page for reference. He was found of young men, in-vited their society, encouraged and generously aided them. He was easily moved by the distress of others. He was kind, charitable, lavish of his money in the relief of poverty. He had character-istics which seemed contradictory, but winch com-bined to make one of the memorable figures in the Parliamentary history of the United States,—a man who had the courage to meet any opponent, and who was he for overmatched in intellectual conflict.

NEW-YORK IN THE WAR CONGRESS. ew-York sent Reuben E. Fenton, already pro st; and Abraham Olin, subesquently well

the West; and Abraham Gab, sown in judicial life.

The ablest and most brilliant man of the delegation was Roscoe Conking. He had been legted to the preceding Congress when at twenty-nine years of age, and had exhibited a readiness and eloquence in debate that libited a readiness and eloquence in debate that betion Mr. Conking was never serpassed branch of Congress, untess, perhaps, by

WASHBURNE, LOVEJOY AND LOGAN.

Rufus Cheate.

WASHBURNE, LOVEJOV AND LOGAN.

Himois sent Ethin B. Washburne, already eight years a Representative in Congress, a man of contage, energy, and principle, devoted to the Republican party, constant in attendance upon the sessions of the House, expert in its rules, its most watchful and most careful Lember, an economist by nature, a foe to every form of corruption.

Owen Lovejoy, though a native of Maine, springing from Puritan ancestry, and educated to the Christian ministry in the faith taught by Caivin, had the flery eloquence of a French Revolutionist. Not even the exasperating wit of Thaddens Stevens, or the studied taunts of John Quincy Adams, ever threw the Southern men into such rage as the speeches of Lovejoy. He was reckiesly bold. His brother had been killed by a mob for preaching the doctrine of the Abolitionists, and he seemed almost to court the same fate. He was daring enough to say to the Southern Democrats, at a time of great excitement in the House, in a speech delivered long before the war, that the negroes were destined to walk to enancipation, as the children of Israel had journeyed to the promised lain, "through the Red Sea." Among the Democrats the most conspicuous was William A. Richardson, who had been a devoted atherent of Donglas, and had co-operated Red Sea." Among the Democrats the most conspic-nous was William A. Richardson, who had been a devoted adherent of Donglus, and had co-operated with him in the repeal of the Missouri Compromise. A younger adherent of Donglus was John A. Logan, Serving in his second term. He remained, however, but a short time in the Thirty-seventh Congress, His ardean patriotism and ambitious temperament carried him into the war, where his brilliant career is known and read of all men.

MCCLELLAN'S MULITARY CAREER.

McClellan's Military Career.

This ended the military career of General McClellan, which throughout its whole period had been a subject of constant discussion—a discussion which has not yet closed. The opinion of a majority of intelligent observers, both civil and military, is that he was a man of high professional training, admirably skilled in the science of war, capable of commanding a large army with success, but at the same time not original in plan, not fertile in resource, and lacking the energy, the alertness, the daring, the readiness to take great risks for great ends, which distinguish the military is deers of the world. For a commander of armics in an offensive campaign, his caution was too I argely developed. He possessed in too great a degree what the French term the defensive inside of the engineer, and was apparently incapable of doing from his own volution what he did so well on the bloody field of Antietam, when under the pressure of an overwhelming necessity.

THE FRANKEST DEMOCRAT. MCCLELLAN'S MILITARY CAREER.

THE FRANKEST DEMOCRAT. The new crusade against the President was begun y Mr. Vallandigham, who if not the ablest was the rankest and boldest member of his party. He took trankest and boidest member of his party. He took the stump soon after the adjournment of the Thirty-acventh Congress. It was an unusual time of the year to began a political contest, but the ends senght were extraordinary, and the means adopted might well be of the same character. On the first day of May Mr. Vallandigham made a peculiarly offensive, mischievous, disloyal speech at Mount Vernon, Ohio, which was published throughout the State and widely copied elsewhere. It was perfectly apparent that the bold agitator was to have many followers and imitators, and that in the rapidly developing sentiment which he represented, the Administration would have as bitter an enemy in the rear as it was encountering at the front. The in the rear as it was encountering at the front. The case was therefore critical. Mr. Lincoln saw plainly that the Administration was not equal to the task of subduing two rebellions. While confronting the power of a solid South he must continue to wield the power of a solid North.

MR. SCHENCK'S PECULIAR POWER.

Robert C. Schenck was an invaluable addition to the House. Ite had been serving in the field since the outbreak of the war, but had been induced to contest the return of Valiandigham to Congress. His canvass was so able and spirited that though in other parts of the State the Democrats captured eight Republican districts, he defeated Valiandigham in a Democratic district. Mr. Schenck had prignally entered Congress in 1843 at thirty-four years of age, and after a distinguished service of high years was sent by President Fillmore as Minlater-Plenipotentiary to Brazil. After his return he had taken no part in political affairs until now. His reappearance in Congress was therefore significant. He was at once placed at the head of the Committee on Military Affairs, then of superiative importance, and subsequently was made chairman of Ways and Means, succeeding Mr. Stevens in the undoubted leadership of the House. He was admirably fitted for the arduous and difficult duty. His perceptions were keen, his analysis was extrapordinarily rapid, his power of expression remarkable. On his feet, as the phrase went, he had no Robert C. Schenck was an invaluable addition to

equal in the House. In the five-minute discussion in Committee of the Whole he was an intellectual marvel. The compactness and clearness of his statement, the facts and arguments which he could statement, the facts and arguments which he could marshal in that brief time, were a constant surprise and delight to his hearers. No man in Congress during the present generation has rivalled his singular power in this respect. He was able in every form of discussion, but his peculiar gift was in leading and controlling the Committee of the Whole.

GENERAL SHERMAN'S BROAD MIND.

The character and ability of General Sherman were not fully appreciated until the second year of the war. He had not amed to startle the country at the outset of his military career with any of the brilliant performances attempted by many officers who were heard of for a day and never afterward. With the true instinct and descipline of a soldier, he faithfully and skilfully did the work assigned to him, and he gained steadily, rapidly, and enturingly on the confidence and admiration of the people. He shared in the Southwest, and earned his way to the great command with which he was now in trusted,—a command which in one sense involved the prompt success of all the military operations of the Government. Disaster to his army did not of course mean the triumph of the Rebellion, but it meant fresh levies of troops, the prolongation of the struggle, and a serious increase to the heavy task that General Grant had assumed in Virginia.

General Sherman was a graduate of West Point, and while still a young man had served with marked credit for some twelve years in the army. But he had more than a military education. Through a checkered career in civil life, he had enlarged his knowledge of the country, his acquaint ance with men, his experience in affairs. He had been a banker in California, a lawyer in Kansas, president of a college in Lembana, and, when the war begon, he was about to take charge of a railroad in Missouri. It would be difficult, if not impossible, to find a man who has so thorough, so minute a knowledge of every State and Territory of the Union. He has made a special study of the geography and products of the confury. Some one mas said of him that if we should suddenly lose all the maps of the United States, we need not wait for fresh surveys to make new ones, because General Sherman could reproduce a perfect map in twenty-four hours. That this is a pardonable exagyeration would be admirted by any one who had conversed with General Sherman's appoarance is strongly indicat GENERAL SHERMAN'S BROAD MIND. gether of Paritan stock, his father and mother having emigrated from Connectant, where his family resided for nearly two centuries. All the characteristics of that remarkable class of men reappear in General Sherman. In grim, determined visage, in commanding courage, in mental grasp, in sternness of principle, he is an Ironside officer of the Army of Uromwell, modified by the impulsive mercurial temperament which eight generations of American descent, with Western both and rearing, have impressed upon his character.

A GENEROUS TRIBUTE TO GRANT. General Grant's active service in the field closed with the surrender of Lee. All the commanders of Confederate forces followed the example of their General-in-Chief, and before the end of the mouth the armed enemies of the Union and practically ceased to exist. The fame of General Grant was full. He had entered the service with no factitions advantage, and his premotion, from the first to the full. He had entered the service with no fractifions advantage, and his premotion, from the first to the last, had been based on merit alone,—without the aid of political influence, without the interposition of personal friends. Criticism of military skill is but idle chatter in the face of an unbroken career of victory. General Grant's campagins were varied in their requirements, and, but for the fertility of his resources and his unbending will, might often have ended in disaster. Conrage is as contagions as fear, and General Grant possessed in the highest degree that faculty which is essential to all grent commanders,—the faculty of imparting throughout the rank and file of his atmy the same determination to win with which he was himself always inspired.

One peculiarity of General Grant's military career

tion to win with which he was himself always inspired.

One peculiarity of General Grant's military career was his constant readiness to fight. He wished for no long periods of preparation, lost no opportunity which promptness could turn to advantage. He always accepted, without cavil or question, the position to which he might be assigned. He never troubled the War Department with requests or complaints, and when injustice was inflicted upon him, he snomitted silently, and did a soldiers duty. Few men in any service would have acquiesced so mietly as did General Grant, when at the close of the remarkable campaign beginning at Fort Henry and ending at Shiloh, he found himself supersected by General Extleck, and assigned to a subordinate command in aftermy whose glory was in courted others. In that indespensable form of mental discipling teneral Grant exhibited perfection.

In that indispensable form of mental discipline tomeral Grant exhibited perfection.

When he was appointed Lieutenant-General, and placed in command of all the armies of the amon, he exercised multiary control over a greater number of men than has any general since the invention of ire-arms. In the campaigns of 1804 and 1805, the number of the Union contained in the aggregate not less than a million of men. The movements of all the vast forces were kept in harmony by his comprehensive mind, and in the grand consummation which insured Union and Liberty, his name became inseparably associated with the true glory of his country.

LINCOLN'S GREATEST TRAITS.

Mr. Lincoln united firmness and gentleness in a singular degree. He rarely spoke a harsh word. Ready to hear argument and always open to conviction, he adhered tenacionsly to the conclusions which he had finally reached. Altogether modes:, he had confidence in himself, trusted to the reasoning of his own mind, believed in the correctness of
his own judgment. Many of the popular conceptions concerning him are erromeous. No man was
further than he from the easy, familiar, jecose
character in which he is often painted. While he
paid little attention to form or ceremony he was
not a man with whom liberties could be taken.
There was but one person in Hinois outside of los
own household who ventured to address him by his
first name. There was no one in Washington who
ever attempted it. Appreciating wit and humor, he
relished a good story, especially if it illustrated a
truth or strengthened an argument, and he had a
vast fund of illustrative aneedote which he used
with the happiest effect. But the long list of vulgar, salacious stories attributed to him were refailed only by those who never enjoyed the privilege of exchanging a word with him. His life was
altogother a serious one—inspired by the neblest
spirit, devoted to the highest aims. Humor was
but an incident with him, a partial relief to the
melancholy which tinged all his years.
He presented an extraordinary combination of
mental and moral qualities. As a state-sman he had
the loffiest ideal, and it fell to his let to inaugurate
measures which changed the fate of millions of living ments of tens of millions of the

easures which changed the fate of mi measures which changed the rate of minions of hy-ing men, of tens of millions yet to be born. As a manager of political issues, and master of the art of presenting them be has had no rival in this country mices one be found in Jefferson. The complete dis-configure of his most formulable as adants in 1863, processing the found in Jefferson. The complete discomfinite of his most formulable as adants in 1863, especially of those who sought to prejudice him before the people on account of the arrest of Valladigham, cannot easily be paralleled for shrewdness of treatment and for keen appreciation of the reactionary influences which are certain to control public opinion. Mr. Van Buren stands without rival in the use of partisan factics. He operated altogether on men, and believed in self-interest as the manspring of lamman action. Mr. Lancoin's ability was of a far higher and broader character. There was never the slightest lack of candor or faitness in his methods. He sought to control men through their reason and their conscience. The only at the employed was that of presenting his views so convincingly as to force conviction on the minds of his hearers and his readers.

There has been discussion as to Mr. Lincoin's religious belief. He was silent as to his own preference among creeds. Prejudice against any particular denomination he did not entertain. Allied all his life with Protestant Christianity, he thankfully availed himself of the services of an emment Catholic prelate—Archibishop Hughes of New-York—in a personal mission to England, of great importance, at a crisis when the relations between the two countries were disturbed and threatening. Throughout the whole period of the war he constantly directed the attention of the Nation to dependence on God. It may indeed be doubted whether he omitted this in a single state paper. In every message to Congress, in every proclamation to the people, he made it prominent. In July,

whether he omitted this in a single state paper. In every message to Congress, in every proclaimation to the people, he made it prominent. In July, 1863, after the battle of Gettysburg he called upon the people to give thanks because "it has pleased Almighty God to hearken to the supplications and prayers of an addicted people and to vonebsafe signal and effective victories to the Army and Navy of the United States," and he asked the people "to render homage to the Divine Majesty and to invoke the influence of His Holy Spirit to subdue the anger which has produced and so long sestained a needless and cruel rebellion." On another occasion, recounting the blessings which had come to the Union, he said; "No human counsel hath devised, nor hath any mortal hand worked out, these to the Union, he said: "No human counsel hath devised, nor hath any mortal hand worked out, these great things. They are the gracious gifts of the Most High God, who, while dealing with us in anger for our sins, hath nevertheless remembered mercy." Throughout his entire official career,—attended at all times with exacting duty and painful resnonsibility.—he never forgot his own dependence, or the dependence of the people, upon a Higher Power. In his last public address, delivered to an immense crowd assembled at the White House on the 11th of April, to congratulate him on the victories of the Union the President standing as he miconsciously was in the very shadow of death, said reverently to his hearers: "In the midst of your joyous expression, He from whom all blessings flow must first be remembered!"

NATIONAL CAPITAL TOPICS. SHARP WORDS IN A COMMITTEE-ROOM.

SENATOR VANCE BECOMES PROPANE-PROPOSING TO ASSAIL THE REPUTATIONS OF WITNESSES IN THE DANVILLE INVESTIGATION.

Washington April 15 .- At to-day's meeting f the Senate sub-committee investigating the Danville tot John 8. Wise appeared, and said that he represented olonei W. E. Sims, who had received notice that witersonal character. Mr. Wise read a letter from Sims to Senator Sherman, stating he knew not the nature of the threatening attacks upon him, nor did he care, if he was allowed to show the animus which prompted them. He and reason to believe that the attempt was to blacken his character by innuendo. He desired, if the committee saw fit to go outside his character for veracity, to be allowed to summon witnesses touching the moral character of all the parties, in cluding Senator Vance and Representatives George C. Cabell and George D. Wise, who were, he was informed, engaged in an attempt to blacken his character. Mr Wise gave notice that he should object to extending the investigation beyond Mr. Sims's general reputation for vernelly, unless the investigation was opened up, in which case he should assemble reputation for truth of W. N. Engle, and should produce the records of some of the signers of the Danville circular.

Senator Vance-Well, Mr. Chairman, so far as the notice is an intimation that my character into be assailed,

Senator Sherman-I think myself, Governor, that that ought not to enter upon the records, and I shall cer-

tainly recommend-Senator Vance-It is unusual, sir, and it is damnable, there or anywhere else. I never heard of such a proposition as carrying the war into the committee and making doing his duty as appointed and required of him by the Senate of which he is a member. It is a threat, sir, which I despise and de'y and contemn. Senator Sherman said there was no further necessity

for argument. When questions were raised it would be time enough to discuss and decide them. So far as he threat to involve a member of the committee ersonally as to his character and conduct was concerned. t was entirely improper.

Mr. Sims-My character is as precious to me as any member of Congress. It has been reported as having been said before the committee that I was a dishonest en. Now if he merely attempts to prove that I have no objection at all.

G. B. Rawlins, of Baltimore, was then sworn and took the stand. Governor Vance asked if she was acquainted with Colonel Sims. She replied that she had known him for bout seven years. She was asked to state what his reputation was for truth and veracity. Senator Sherman said that he would not consent to turning the investigation nto the channel proposed now; to open up the opportuuity for bringing in personal quarrels—without the direction of the full committee. If there was any desire to conroveri any of Colonel Sims's statements as a witness he would have no objection. Senator Vance said that it had been put in evidence

Senator Vance said that it had been put in evidence that Colonel Sums was a man of good character, and that his defect in the election was due to insimilation and violence. "I propose to prove," he continued, "that his nam is a thief, that he shole the bonds of this winess on the stand here, and that he is sitterly unworthy of belief. He has blackened the character of reputable cit zens of Danville, and we propose to show who he is."

Mr. Wise—I think that it is due to Mr. Shus that the proposition to show that this man is a thief, that he stole the bonds of this hady, and that he is unworty of belief, smould not be allowed to go unanswered. Also that Mr. Sims hards back the indication into the testh of its author, and at the proposition into the testh of its author, and at the proper time and proper place will prove that it is a falsehood in the whole cleth.

Senator Vance—I make this, of course, not to my knowledge, but I make it with witnesses here ready to prove it.

Congressmen Cabell and George D. Wise had now arrived in the committee room and in their turn stated with nucle carnestness their willingness to submit to say lavestigation which might be proposed respecting their personal records. Senator Sherman still objecting to the introduction of the testimony proposed, Mrs. Rawlins

comparison of views between members of the

-committee, all witnesses in attendance were dis-rged and an adjournment subject to the call of the irman was reached.

TESTIMONY OF MR. NEWCOM.

HE TELLS WHAT HE DOESN'T KNOW ABOUT COLLINS

AND OTHERS. WASHINGTON, April 15 .- Mr. Newcomb, the unturalist of the Jenniette expedition, was cross-examined further to-day by Mr. Arneux, counsel for Mrs. De Long. The wifaces sald that he did not know that any time on board ship Mr. Collins was kept in confinement or deprived in any way of his liberty. The treatment of Mr role schlevement. He did not, however, think that the escape of the survivors was due entirely to the judg-ment and forethought of the officers who planned that retaken, among them boat compasses and sextants. I an enhower was one of the officers who used skill and judgment in the management of the retreat, and to that offi

memory was in some respects bad. Ho did not remember having told Dr. Collins that he and Jerome Collins had "had a h-l of a life in the Arctic." He could not swear, however, that he did not use the words.

Witness never said, orally or in a letter, that Captain De Long was a profane Catholic; as a matter of fact he had never heard Captain De Long swear. He had never said that Melville die not believe in a God.

The witness was then questioned as to the treatment of Mr. Collins during the retreat. Witness lead said that Wr. Collins was not depprived of his liberty. He meant by that that he had no personal knowledge of such a fact. Hat seen Collins walking at the rear but had not seen him ordered there. As matter of fact Collins was not always at the rear but had not seen him ordered there. As matter of fact Collins was not always at the rear He sometimes went off hunting seal with a rifle, witness could not remember having said to anyone that the descontent smoon the men during the retreat on account of west they recarded as the mismattagement of Captain De Long, was so creat that the Arteless of War. Witness had never known Mr. Collins to be insolent or disressectful to Captain De Long. Witness could not remember that Mr. Melville had prevented Mr. Damenhower from going to Bainn with Kusman. Thought there was some isolonaly and hard-feeling between Damenhower and Melville, but could not say positively. Could not swear positively that the captain held any consultation with his officers during the critical period of the retreat. Thought not know whether or not there would have been a chance of saving De Long it a relief party had started out by october 16. If the distance had not been too great and if they had know where to go there might as whether Mr. Melville's treatment of him in general was discourteous or not. On the whole, he had no complaint to make of it.

THE BANKRUPTCY BILL IN THE SENATE. Witness never said, orally or in a letter, that Captain

THE BANKRUPTCY BILL IN THE SENATE. Washington, April 15 .- In the Senate to-day onsideration of the Bankruptcy bill was proceeded with by sections, and much progress made. Amend-ments of detail were proposed by Measrs, George, Bay-ard, Hoar, Wilson, Saulsbury and Slater, most of which were agreed to. The section agreed to to-day provides, among other thises, that any person ewing provable debts exceeding \$300 may voluntarily petition to be adjudicated a bankrupt. Any trader owing debts in excess of \$1,000, who leaves his State to avoid his creditors, or conceals himself to avoid arrest or the service of legal process, or makes a fraudulent transfer of his prop-

PAY OF OFFICERS DYING IN SERVICE. Washington, April 15 .- Senator Hawley reported favorably to-day to the Senate from the Commiton Military affairs the bill introduced by him to proride that section of the act approved March 3, 1865, making appropriations for the support of the Army, which provided that all officers of volunteers then in commission below the rank of Brigadler-General, who should continue in the military service to the close of the war, should be ntitled to receive, upon being mustered out, three months my proper, be so construed so as to entitle the heirs or may proper, be so construed so as to entitle the heirs of egal representatives of such officers who were killed or lied in the service between March 3, 1865 and april 10 of the same year, to receive the three months pay o which such officers would have been cutfied had they lived and been mustered out at the close of the war.

AFFAIRS OF THE ARMY.

Washington, April 15 .- The Committee on Military Affairs to-day instructed Representative Rosecrans to report adversely a bill providing that any officer now in the regular Army, who served as an officer in the Union forces during the late war, shall be entitled to credit on the muster rolls of the Army for the time of such

Captain George W. Evans, 21st Infantry, has been granted leave of absence until further orders on account of disability, and leave of absence for six months has been granted First Lieutenant W. C. Mahlenberg, 2d In-fantry: leave of absence for six months has been granted Captain Ira Quinby 11th infantry, and leave of absence for three menths from July 1 has been granted First

Lieutenant George Roblen, 17th Infantry. First Lieutenant Alfred C. Sharpe, 22d Infantry, has been detailed as professor of military tactics at the University of Wooster, Wooster, Ohio. Captain C. G. Smith, assatant quartermaster, has been ordered to Baltimore to relieve Major Charles W. Foster, quartermaster.

THE SILVER COINAGE QUESTION. BUSINESS MEN URGING SUSPENSION-SOME OF THE

EVILS THREATENING. WASHINGTON, April 15 .- The House Commlitee on Coinage, Weights and Measures to-day gave a hearing to representatives from the Boards of Trade and Chambers of Commerce of various cities on the subject of the suspension of the coinage of silver. Nathan Cole, of L. M. Thorn bought of him No. 281 West Sixtleth-st., a St. Louis, said the representatives of the business interests of the country came before the committee because of an apprehension that the Government is making a mistake in coluing so large an amount of silver dollars. What the consequence would be of continued colnage, he did not know. "There is safety," he said, "in going slow. We can hurt no interest by ft, and we may prevent disaster. Why cannot we as a people say that we prefer gold as currency and silver as subsidiary thereto?"

J. A. Gano, of Cincinnati, read a letter from Murat Hal-stead, in which he recommended the stoppage of the coinage of silver dollars. Mr. Gano said that business interests were much depressed, and that it was scarcely possible to ship snything from this country at a profit.

rial, signed by 2,000 business men; "It is desirable that the metallic money of the United States should consist of gold and silver coin of interchangeable relative value and that coinage should be restricted to the needs of comree and the wants of the people. The amount of sliver ollars now accumulated in the Government vanita is largely in excess of these requirements, and it has been instrated by experience that this excess cannot be utilized at present as a circulating medium. Your morialists, therefore, respectfully pray that a bill may be specifily enacted by your honorable body which shall provide; that the coinage of silver dollars shall be suspended for a period of at least two years next ensuing, and that in order to bring into gradual circulation the surplus silver coin now in the Treasury the farther issue of bills of the denomination of one and two dollars shall be descontinued.

Mr. Smith said: "We want silver circulated, but the country is preindized grainst the heavy, clumsy, silver dollar. We want subsidiary coin. Trouble is experienced for want of small change. Tacre is a large number of 25-cent and 50-cent pieces in the Treasury, but we can't get them out."

emout."

You never will get them out as long as you have a ex-York Secretary of the Treasury," interposed Reprentative Selford.

Mr. Smith continued: "We ask for suspension as an neriment in order to circulate what eliver we have. If a will not give us a suspension for two years do it for e year, if not for one year for six months."

"What effect would the suspension have on England t" as asked.

It would force England to come late a convention with

"It would force England to come into a convention with it," said Mr. Smith.

G. A. Buller, of New-Haven,made an argument in favor of bi-ractalism. He said we ought to take such a position is to show Europe that we will not be her car's pay to fraw her chessunts out of the fire.

Mr. Bland asked why no petitions ever came from a poor class—the farmers!

Mr. Butler replied: "They do not see the danger that we are in. We do not come before you to oppress the poor. We do not go with brazen face and from heel to increase the frombles of the poor. We do not say this with any disrespect; but we do not wish to hear the motives of the delegation increase."

George Coe, of New-York, answered a number of questions propounded by the members of the committee.

NOMINATIONS BY THE PRESIDENT.

Washington, April 15 .- The President sent the following nominations to the Senate to-day : Charles E. Coon, of New-York, to be Assistant Secretary of the Treasury : Captain John M. Bacon, 9th Cavalry, to be Major 7th Cavalry; First Lieutenant J. A. Olmsted, 9th Cavalry, to be Captain 9th Cavalry; First Lleutenant Gregory Barrett, in., 10th Infantry, to be Captain; Second Lieutenant Granger Adams, 5th Artillery, to be First Lieutenant; Second Lieutenant Harry L. Balley, 21st Infantry, to be First Lieutenant.

WASHINGTON NOTES.

Washington, Tuesday, April 15, 1884. VINEGAR MAKERS AND THE REVENUE TAX .- The Senate committee on Finance to-day reached an adverse decision too the bill to repeal the statutes which authorize white vine vinegar makers to distit the spirits used in their mainess, without paying the revenue tax thereon. It was urged in support of the measure that the vinegar makers, under cover of the statute, were making and self-up tilleit spirits.

r, from the Committee on Education and Labor, re ed favorably a bill to provide for a commission on the est of the alcoholic liquor traffic.

siris to Alaw Library.—Loo Senate amended and ossed the House joint resolution providing that certain obtable furnished by the Secretary of the interior to the sectional Law Library. It authorizes the Secretary of the section to furnish from any volumes on hand two complete sets of reports of the United States Supreme Court; o sets of the United States Avoised Statutes and authorizings, a complete set of the annals and deless of longrous and the journals of the Senate and CONFIGURD AS POSTMASTERS.-William Austin, of Pay

CROING A CONSIST TOWAR AMENDMENT.—George Tickmor Curtis, before the House Committee on the Judiciary
to-day, advocated the adoption of a constitutional
amendment limiting the power of the Government to
issue paper money to times of war. He criticised the recent decision of the Supreme Court declaring reissued
greenbacks to be a legal tender, and said that it was contrary to views expressed by Justice Marshall, and that
the Court's construction of the Constitution was unwarmated. He favored the adoption of an amendment declaring that Congress had not the right which the Supreme Court said it had.

THE STROBACH CASE .- A communication was received the Senate to-day from the Attorney-General, with ference to the course pursued by the Department of silce in the Strobneh case, and answering inquiries opounded in a Senate resolution of April 1, with resect to the Marsani's office for the Middle and Southern stricts of Alabama. A TREASURY COMMISSION.—Secretary Folger has ap

pointed S. A. Johnson, W. M. Uttz, W. H. Walton, George Kettle, T. J. Gardner, David Lamb, W. H. Earle and Pau Hirsch, of the Treasury Department, a committee to examine the dies, rolls, plates, etc., at the Bureau of Engraving and Printing, with a view to the destruction of those found defective and of those no longer required. Pips for Stationent.-Bids were opened at the Treas

The Fold Stationard.—Both set speak and active properties in the bidders were E. D. Lockwood, James Lang field, John T. Balley & Co., J. G. Diman & Co., B. Nesso chagge Manufacturing Company, of Philadelphra, and S. H. Roberts & Co., W. A. Wheeler, Jr., R. A. Robbins, Jame P. Michael and J. McE. Drake, of New-York, and others.

THE NEW-JERSEY LEGISLATURE.

THE CORPORATION TAX BILL PASSED FINALLY-A VETO MESSAGE-DOING BUSINESS RAPIDLY. PROMITIE REGULAR CORRESPONDENT OF THE TRIBUNE.]

TRENTON, April 15,-The Conference Committee on the Corporation Tax bill found that Measrs. savage and O'Conner, for reasons which were not made ic, had determined to block the progress of the bill. and this afternoon the committee determined to act without them. In accordance with this decision the bill was reported to both houses with an amendment reducing the rate on electric light companies to one-half of one per cent, and taxing foreign mising companies one mill on the dollar. The report was agreed to unanimously in the Senate, and by a vote of 40 to 2 in the House, Neighbour and Weaver voting no. The Democratic members assert that this removes the final obstacle to adjournment on Friday, and that that happy incident cannot longer

A VETO MESSAGE SENT IN. Governor Abbett sent a veto to the Assembly this morn-

ing in which he says:

The returns from fifteen counties of this State, made under Chapter 118 of the laws of 1881, show that there was a county indebtedness reported for the year ending October 31, 1883, of \$5,336,252, and a city and township bonded indebtedness of \$44,964,439 67, making a total of over \$50,000,000. Under Assembly bill No. 77 the entire amount of these bonds might be exempt from taxinton, provided they were held or owned by individuals or corporations either residing or doing business within the locality issuing such bond. In addition to this the bill covers all bonds hereafter to be issued as well as the bonded indebtedness of the six counties not making any return. The result of this exemption of capital lavosled in bonds can only be to impose additional burdens on real estate. This bill is so sweeping in its character that it embraces not merely the municipal tax but the State and county taxes also.

The Senate passed the Assembly bill authorizing the ing in which he says:

The Senate passed the Assembly bill authorizing the Library Commissioners to purchase a picture of Molly Pitcher at the Battle of Monmouth. The picture is owned by ex-Senator Crowell, of Rahway, who values it owned by ex-Senator Crowell, of Rahway, who values it at \$5,000, and whose circumstances are such that he desires to dispose of it. The Senate at last passed Senator Stainsby's bill to maintain the civil rights of the colored man. As originally drawn, the bill was a copy of the United States statute declared unconstitutional, but it was amended materially in the House so as to make its yearlies much more moderate. The Governor's veto of the Bergen Point Plank Road bill was sostained.

The bill to create the office of General Assessor in Jersey City was returned to the Senate, where it was amended so as not to apply to Newark, and it will now be passed. The Assembly passed the bill to permit appeals in cases of contempt of court before Common Pleas Judges. Mr. Keasbey opposed, because it was an innovation, and Mr. Armstong favored because the existing system is a reile of barbaric days. The bill received 34 votes to 16 against it. Its origin was a case in Camden County where a petty judge attempted an outrageous exercise of authority. It reached the cenate this afternoon at 3:30 and at 4 o'clock had been passed and was on its way to the Governor.

RELIEF OF SUFFERERS FROM THE FLOOD.

made destitute by the flood is about to close its labors. It has received \$184,000, all of which has been distributed except \$6,000. This amount is soon to be used in helping the poor to restore their dwellings. A large part of the money has been used outside of Cincinnati.

REAL ESTATE AUCTION SALES.

There were numerous sales of real estate at the Exchange Salesroom yesterday, mostly of East side property. John F. B. Smyth sold on forcelosure the Iwelling No. 425 Seventh-ave., to Esther E. Cohen, for \$12,200, and a similar house, No. 427, to Samuel Booth, for \$12,125. To James O'Brien he sold No. 279 West Sixtleth-st., a double tenement, of brick, for \$11,650. double house, for \$11,700. Robert Kyle bought No. 611 West Forty-sixth-st., a five-story tenoment, for \$19,200, and a similar building, No. 621, for \$19,000. Adrian H. Mulier sold No. 331 East Fifty-fifth-st., a brown stone dwelling, to George B. Christman, for \$9,450. D. M. Seaman sold to Samuel C. Sloan the house No. 623 Hudson-st., at Jane, for \$18,000. Scott & Myers sold three lots in Eighty-ninth-st., near Eighth-ave., for \$6,050 above a mortgage of \$10,825, to Patrick Fox; two houses with lots, in Pleasant-ave., Nos. 331 and 425, to C. S. Brown for \$9,000 and \$7,000 each. Richard V. Harnett, who had a large batch of houses and lots to dispose of, sold six extra large lots, with frame dwellings, at Third ave, and Washington ave., to John Eigler for \$13,000; also twelve lots at Washington and Railrond aves., between One-hundred-and-seventieth and One-hundred-and-seventy-first sta., with frame house one-hundred-and-seventy-first sta, with frame house and stable, to H. Gordon for \$13,500. By direction of Referce R. W. Gilbert he also sold the four handsome brick flats, Nos. 98 to 104 East One-hundred-and-twenticth-st., at prices ranging from \$8,850 to \$9,000. Two handsome brownstone houses, Nos. 60 and 66 East One-hundred-and-thirty-first-st., near Park-ave., were bought by A. Neison and M. Dreyfinss for \$8,825 and \$8,450, respectively. At executor's sale John Daniell, sr., and John Daniell, fr., of No. 759 Broadway, bought the leasehold of the brick house No. 64 East Ninth-st., belonging to the Felix Effray estate, for \$12,700. The leasehold, which is from the Sailors' Snug Harbor, will expire in 1894. H. Gordon, of No. 78 Broadway, bought for \$20,750 No. 1.536 Park-ave., a brown-stone dwelling; H. W. Livingston paid \$15,300 for No. 27 West One-hundred-and-sixteenth-st.; and Newman Cohen gave \$7,725 for No. 142 East One-hundred-and-wellth-st. Lorin Palmer, the tobaconist and late owner of The Broad-pau Union-Argus, bought the brown-stone house No.127 East Elenty-fourtiest, for \$11,750; the ade was made to close out tae estate of the late James B. McCoy.

William Astor has purchased from the executors of Fanny flendrix the premises Nos. 414 Fifth-ave., and \$10 and 12 West Thirty-eighth-st. for \$298,000. and stable, to H. Gordon for \$13,500. By direction of

RAIN, FOG, DAMPNESS AND MISERY.

The weather yesterday was a harmonious compound of rain, fog, dampness and misery. People who thought that they had seen the last of their overcoats for the season got them out again. Those who could not get them out were the ticket in their waistcon pocket. The temperature was such that a man was un comfortable with an overcoat and uncomfortable withou one. The rain began in the night and people found it pouring when they got up, and wondered whose umbrella they should berrow. Every now and then the rain would act as if it was going to stop, and people would put down their umbrellas and smile. Then the floods would descend again and up would go the umbrellas. People with a ten again and up would go the umbrellas. People with a tendency to rhoumatism had an excellent opportunity to find
out which of their joints was most rhoumatic, but few of
them seemed contented. Pools of durty water collected
on the sidewalks and in the sureris, and rendered waiking
interesting and instructive. Most people preferred to
ride, however, and street cars, elevated trains and Bridge
cars were crowded. The "black and tan" cabs and all
the other cabs did a good business and their drivers were
the only people who appeared to be perfectly hayppy.
The Signal Service gare some comfort by assurances
that it was raining in several other places besides NewYork, and that to-day or to-morrow it would be pleasanter
here.

WORK OF THE ART STUDENTS' LEAGUE. At the annual meeting of the Art Students League last evening these officers were elected: Presi dent, C. Y. Turner; vice-presidents, Miss M. M. Mursh and "Joe" Evans; members of the Board of Control, Miss A. V. V. Brown, John P. Davis and Mrs. George B. Walits. The officers appoint the six other members of the board, making twelve in all, who will have the direction of the school for the coming year. The president, William St. J. Harper, in his address said that the past school year had been in every respect the most successful that the society had known since the organization nine years ago. The annual reports of the officers showed that all age. The annual reports of the omeers showed that as the classes opened on October I and had been in session dail; morning, atternoon and evening. The classes now number sixteen and consist of five line, two painting, two head, two antique, two costume, sketch, compesition amperspective. The number of students who have worked in the school during the year has been 451, an increase of 41 over last year. The gross receipts for the year were a little over \$20,000, an increase of nearly \$5,000 over any provious season.

A FAMILY SUBJECT TO SUDDEN DEATHS. A strange series of sudden deaths is that Rev. S. S. Maitland, rector of St. Mary's Protestant. Episcopal Church in Bath County, died late on the night of Patents will appeal from the decision of the District Su-preme ours in the patent case of Hôc agt. Scott to the Supreme Court of the United States. The point involved, namely, the right of appeal from the Commissioner of Pat-mis to the Secretary of the Interior, is regarded by Spectively in the army and the navy. President Henry II Porter, of the Board of Charities and Correction, is nophew of the Rev. Mr. Maitland.

RASEBALL NEWS.

The proposed game of baseball at the Polo frounds yesterday, between the Metropolitan and the Yale college nines, had to be postponed on account of the ain. Rain also caused the postponement of the game at Washington Park, Brooklyn, between the Brooklyn and The New-York and Brooklyn nines will play at the Polo frounds to-day.

TO PARADE ON DECORATION DAY.

The 10th New-York Volunteer Infantry Association met at Schilling's Hall, No. 364 Sixth-ave., last night and decided to parade on Decoration Day. A numer of members wore the old National Zouave uniform and created considerable cuthusiasm. A uniformed bat-tation will parade under command of Colonel John W. Marshall, the president of the association.

THE LARGEST SALE OF THE MONTH,

HEAVY PURCHASE THAT STRENGTHENED THE PRICE OF WHEAT.

IBY TELEGRAPH TO THE TELBUNE. CHICAGO, April 15,-"Billy "Murray entered the pit this morning after there had been semething of a rally and began selling. "Deacon" Hobbs soon began onying. The men stood close to each other, and accome dated one another with little "gags." Wheat kept of Finally Murray offered 500,000 bushels at 84% cents for May.

"I'll take it," said Hobbs.

"Six hundred I" shouted Murray.

"Beven hundred!" " Yes." "A million ?"

"Yes," said Hobbs.

This is the largest transaction made in the wheat pit for month. It is said that Murray was "long" the grain and that Hobbs was "short." If this be the case there is

and that Hobbs was "short." If this be the case there is little significance in the transaction. But at the moment the crowd became alarmed at such big biging and wheat advanced. The more the thing was talked of, however, the less alarming it became to the "shorts." At night, on the curb, wheat was again at \$4\frac{5}\_2\$ cents for May.

The prices of the different speculative articles opened this morning a little under the prices which ruled last night on the "curb." Wheat, which last night on the "curb." Wheat, which last night under the large purchases of Spense closed at \$4 cents for May opened at \$3\frac{1}{2}\$ cents, but soon advanced to last night's figures. The dispatches from the northwest told of cold and stormy weather. At some points the mercury was low enough to admit of freeding. There was no news of any great damage, though there was a little uncastness among the farmery at some points in the northern end of the winter wheat belt. This talk of cold weather was the feature at the start. Corn advanced a little at the opening, moving from 404 up to 50, but cased off with wheat toward night. The pit was barren of incident. In provisions nothing was doing further than "changing" from one ments to another.

There were 11,000 hogs at the yards, and prices there were 10 cents lower. May peck opened at a decline from last sight of 25 cents, and drepped to \$16 574. May iard started at \$8 224.2 and, without declining much, looked weak.

The figures of Assistant-Secretary Stone, on the visible

weak.

The figures of Assistant-Secretary Stone, on the visible supply of grain, were printed to-day. They showed a decrease of 1,558,275 bushels in the visible supply of wheat and of 500,000 bushels in the visible supply of wheat and of 500,000 bushels in the visible supply of corn. It was rumored resterday that that the visible supply of wheat would be large, and prices has hight were "builed" on it. The report gained creedence this forenoon that the decrease had been greatly exaggerated, and in consequence as this last report gained circulation, the markets were "beared." When the authoritative table was posted, at 12:30 p. m., the feeling became "builish." Hobbs, Clapp, and Comstock began tuying on a large scale.

The decrease last week in the local stock of whent was 560,000 bushels. It was reported on the floor that 250,000 bushels of wheat were taken to day for export. Another report said that the grain had been purchased by Buffals vessel men, who are dissatisfied with the freight rates, and prefer to take a risk and buy their own grain, and ship it in their own vessels. weak. The figures of Assistant-Secretary Stone, on the visible

IRVING'S CONVICTION AFFIRMED.

ALBANY, April 15 .- James Irving, a New-York politician, committed an assault upon Richard M. Darling in New-York city in 1882. He was convicted and sentenced to two years' imprisonment and to pay a fine

RAILWAY DIRECTORS' POWERS

SUSTAINING RIGHTS OF STOCKHOLDERS.

DECISION BY JUDGE VAN BRUNT IN THE ELEVATES BAILROAD SUIT-THE OCTOBER AGREEMENTS SET ASIDE.

Judge Van Brunt, sitting in the Equity Term of the Court of Common Pleas, yesterday handed down his decision in the suit of the Metropolitan Elevated Railway Company against the Manhattan Railway Company, the New-York Elevated Ballroad Company and others to set aside the agreements of October 22, 1881, by which the guaranteed rental to the leased companies was reduced from 10 to 6 percent on their stocks. The Metropolitan claimed that its directors had no power to modify the original leases and tripartite agreement of May 20, 1879, without the consent of the stockholders; that three of the directors were directors of an antagonistic company when the October agreements were made; that the personal in-terests of several of the Metropolitan directors were opposed to the company's interests, and that actual fraud entered into the making of the agreement. The defend-ants denied that the consent of the stockholders was necessary to the validity of the October contracts, repudiated the alleged fraud, and averred that the contracts presented the only solution of the difficulties in which the elevated system was involved at the time.

Judge Van Brunt took his decision to centr and handed it over to Chief Clerk Nathaniel Jarvis, jr., a few minutes efore opening court at 11 a. m. Mr. Jarvis said: "Well, Judge, how have you decided?" The laughing reply was: "Against all parties and in favor of none." Mr. Jarvis took the three times 286 pages of printed matter to his office. Within a few minutes Mr. Duer, of the counsel for the Manhattan Company, appeared and got one copy, the counsel for the Metropolitan Company obtained a second copy, and the third went at once into the hands of the reporters. "I have had many inquiries regarding the decision," said Mr. Jarvis, " and many guesses have been made on points in it, but Judge Van Brunt has guarded his secret religiously, even from his most intimate friends."

The rulings of Judge Van Brunt are as follows:

The rulings of Judge Van Brunt are as follows:

(1)—The Metropolitan directors had no power to modify the original lease or tripartite arreement of May 20, 1879, without the consent of the shareholders. (2)—The October agreements were voldable because three of the etropolitan directors were also directors of the Manhattan company. (3)—That there was no actual fraud upon the part of any Metropolitan director in making the October agreements, but they were for the best interests of the Metropolitan Company. (4)—The October agreements were disadfemed by the Metropolitan Compeny. (6)—The bill of peace was no bar to the suit, (7)—The judgment in the People's suit against the Manhattan Company was no estoppel. (8)—The judgment of the Superior Court was no estoppel. (9)—Ail restitution required by law can be made.

In his opinion Judge Van Brunt, taking up the first

In his opinion Judge Van Brunt, taking up the first preliminary objection of the defendants that the action tas no case for a court of equity because the plaintiff had a complete remedy at law, says that even if he should find that there was no ground for equitable relief, yet if the facts proved that the party was entitled to legal relief the bill would not be dismissed. Another ground upon which the bill in equity could be sustained was that there could be no determination as to the validity of the October agreements without the presence of the New-York Company, a party to them, which had a right to be heard on the question. The next objection, viz., that the plaintiff corporation was itself a party to the fraud, if the October agreement was Transielent, is set aside by the Judge, who says of the case (Louis agt, Meyer, 14 Federal Reporter 312 and 313) quoted by the defendants to support their objection:

quoted by the defendants to support their objection:

The case cited, however, is not analogous to the one at bar. A stockholder could not maintain an action to set aside any fraudulent contract made by the corporation, without alleging a refusal or good reason to suppose that the corporation would not bring any action. If this rule is to prevail, the directors of corporations may act as fraudulently as they please, and it is impossible to redress the wrong which the corporation may have received at their hands, unless some stockholder is willing to undortake the labor and expense of an action therefor. Where directors are faithless to their trust and have acted without any authority, the corporation may repudiate the acts so done, because the stockholders not only may claim but must claim their rights by and through the corporation, unless the corporation reluans to assert such rights. The directors are the agents of the corporation, and if they act without authority in making a contract for their principal, or fraudiently, certainly the principal may repudiate it. That it is the same principal wino made the contract that seeks to repudiate it is no bar to the relief.

With regard to the third objection, which would bar the

With regard to the third objection, which would bar the playntiff from relief because it alleged that the contracts of May 20, 1879, which it sought to reinstate, were a mility, Judge Van Beunt says that this claim was abandoned upon argument, but that in any case the plaintiff by its complaint does not seek to reinstate anything, but simply asks to have the October (1881) agreements so saide as null and void.

The defendants, for the next objection, alleged that the October agreements had never been disapproved by the stockholders or even the directors of the Metropolitan stockholders or even the directors of the Metropolitan Company by any direct vote. The Court holds that if the directors had no authority to make these agreements without the stockholders' consent, then no expression of their dissent was necessary. Due difference must be used to avoid a contract on the ground of fraud, but what constitutes that must depend upon the facts in each case, the Court fails to appreciate the force of the objection that because a now board of directors had been elected no right was given to impeach the acts of a previous board as the corporation was the same. Judge Van Bruntsavs: Brunt says:

Brunt says:

I have never heard that a man was bound by the fraudulent contract made by his agent in his name because he, the same person in whose name the fraudulent contract was made, sought to set aside the contract. The directors of the corporation are its agents and executive officers. therefore, if one set of agents are beyond their authority or are recreant to their trust, the principal—that, is, the corporation—may appoint a new set of agents and through them seek redress for the wrongs which it has suffered. which it has suffered.

PREVIOUS DECISIONS NO BAR TO RELIEF.

Passing on to the affirmative defences urged by the defendants, Judge Van Brunt holds that the fact that the Manhattan Company had, at the commencement of this action, already brought sult against the lessor companies and all other persons who had brought actions to set aside the agreements asking that all matters relating to the contracts should be determined in that action, did not affect what rights the Metropolitan Company might acquire to the protection of the Court. Judge Van Brunt also holds that the judgment of the Supreme Court in the action of The People against the Manhattan Company, entered on November 17, 1881, involved an issue with which the Metropolitan and New-York companies had nothing to do. The Court in no way adjudicated upon the question of the validity of these agreements. Considering the next defence of the defendants, resting upon the judgment of the Superior Court of the City of New-York entered on December S, 1881, in the action by the New-York Company to recover its property, the Court says that that judgment was entered upon a statement of facts to which all the parties agreed and upon conclusions of law based on those admissions. Judge Van

Brunt says:

If this judgment . . . is a bar to the right of this plaintift to maintain this section, he has this state of affairs as a
necessary result: Directors of a company may
make an agreement which is absolutely void,
and in the making of which there has been
a plain violation of duty, and if their corporation is
sued upon it, the same Board of Directors being in office,
. . . may court to redress indement, and then there is no power
in any court to redress the wrong. The mere statement
of the proposition, it seems to me, shows that such cannot
be the law, and it is not the law.

The large defense of the december of the proposition, it seems to me, shows that such cannot

The last defence of the defendants was that no restliution could be had by any judgment, because the receivers cannot be put in possession again; nor the various previous suits restored to their former condition. Judge Van Brunt says that a plaintiff is not deprived of all relief because he cannot restore the other parties to the same position which they occupied before they entered into the void or voidable agreements, when the other parties put themseives in the position in which they find themselves with full knowledge that the other party claimed that the agreement was void and fraudulent. The blame must est upon them, and all that the Court can do, in case relief is granted, is to compel the plaintiff to do everything that lay in its power to restore "the then statu quo." The Judge says with regard to the increase of the capital stock of the Manhattan Company, and the result flowing therefrom, that the action of the defendants was taken at their own peril. The same argument governs his consideration of the other objections urged by the defendants against a restitution, and he concludes that there are no obstacles in law which prevent the plaint of from making all the restitution which

CHARGES OF FRAUD SET ASIDE. Before considering the law questions involved in the controversy, Judge Van Brunt devotes a large space of his decision to considering the evidence produced to sub-stantiate the charge of fraud on the part of the Metropolscheme to benefit themselves at the expense of their corporation. Upon the evidence in the case, he says, he is clearly of the opinion that no charge of fraud can be sus-tained. He reviews at great length the history of the troubles that environed the elevated roads in 1881, and expresses his belief that in the negotiations which led up to the adoption of the October agreements the up to the adoption of the October agreements the directors of the various companies acted is good faith in order to relieve the elevated system from its financial difficulties and place the Manhattan Company upon a solvent basis. He says that there is not a scintilla of evidence that Jay Gouia desired to get into the Board of Directors of the Metropolitan Company, or usual the slightest effort to get into that board, while on the contrary the evidence shows that be placed conditions upon this going into that board which Mr. Kneeland, who was to elect him, refused to accept until almost the very day of the election.

"If it was such an evidence of guitt," Judge Van Brunt